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SUBJECT: IPR TRAINING FOR MEXICAN CUSTOMS AT VERACRUZ

Summary

1. (U) The Embassy, together with the Departments of Justice and Homeland Security, held a five-day training seminar on detecting, detaining, and deterring the importation of pirated and counterfeit goods for Mexican customs and law enforcement officials at the Port of Veracruz. The seminar was financed by a combination of DOJ grant money from State/INL and by the Embassy's Narcotics Affairs Section. Via a number of interactive roundtables and practical exercises, the course focused on the importance of inter-agency cooperation in protecting intellectual property rights at the border and in following up seizures of infringing goods with appropriate administrative actions and criminal procedures. An instructor from the World Customs Organization (WCO) also explained the resources made available by that UN organization for tracking particular shipments and liaising with customs colleagues from other countries. The Mexican reaction to the course was very positive, and the Embassy plans to hold further IPR customs trainings in other key Mexican ports. End summary.

Students and Instructors

2. (U) The July 23-27 seminar was attended by 43 Mexican customs officers, 24 of whom were from the Port of Veracruz (the country's largest port on the Gulf of Mexico), including Francisco Serrano, Customs Administrator for Veracruz. The remaining 21 customs officers came from other major Mexican ports and from Customs headquarters in Mexico City. Four attendees came from the Office of Attorney General of the Republic (PGR - rough equivalent of the Department of Justice), two from the IPR crimes unit and two from the financial crimes unit. Four attendees were from the enforcement division of the Mexican Institute of Industrial Property (IMPI - rough equivalent of the U.S. Patent and Trademark Office), and another three were federal police from the Federal Investigative Agency (AFI) and the Federal Preventive Police (PFP).

3. (U) The USG course instructors consisted of an IPR prosecutor from DOJ's Computer Crimes and Intellectual Property Section (Marie-Flore Kouame), a DHS/CBP

international trade specialist from the Los Angeles Strategic Trade Center (Marjorie Ottenberg), a DHS/CBP officer from the Port of San Juan, Puerto Rico (Ludmila Rosario), and two DHS/ICE agents from Consulate General Monterrey (Raul Aguilar and Jose Silva). DOJ also funded the participation of Renato Zurita, an Ecuadorian customs official affiliated with the World Customs Organization. The Embassy recruited three Mexican IPR lawyers who represent major U.S. rights owners, as well as Gilda Gonzalez and Guadalupe Nava, IMPI's enforcement chief and her deputy, respectively, to participate as instructors as well. Two of the PGR attendees (Leobardo Aguilar and Isaac Giron) referred to in para 2 also participated as instructors in various segments of the program.

Seminar Program and Themes

14. (U) Day One of the seminar was dedicated to presentations on the importance of IPR, a roundtable featuring PGR and IMPI officials on the basics of Mexican IPR law, and sessions on the role customs agencies can play in protecting IPR. The first half of Day Two focused on how government agencies can improve collaboration with the rights holders, while the second half of the day provided instruction on how to follow up seizures of infringing goods with criminal investigations. During both the morning and afternoon sessions, the attendees were broken up into four groups (with the PGR, IMPI, and federal police representatives evenly distributed among them) to work through practical exercises on profiling incoming shipments and launching criminal investigations. Day Three focused on the nuts and bolts of container inspection and inter-agency cooperation in the Mexican context. As Mexican customs can only hold suspect goods for

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a limited time on their own authority, the group exercises revealed the importance of their communicating effectively with IMPI (to find out whether the goods in question are pirated or counterfeit, and to possibly have IMPI confiscate them if they are) and the PGR, which has the power to initiate criminal investigations. During the second half of Day Three, the attendees began working on a draft outline of an IPR manual for Mexican port inspectors incorporating much of the material covered in earlier sessions. This manual, when completed, will be distributed to Mexican front-line customs inspectors nationwide. Day Four began with Renato Zurita discussing the information resources and international contacts made available by the World Customs Organization. One lesson learned during exploration of the WCO website was that Mexico has not been inputting records of recent seizures into the WCO enforcement database, something Mexican customs officials admitted they needed to change. The afternoon of Day Four was spent at the Port of Veracruz, where Mexican customs opened and inspected several recently arrived containers that had been identified as high-risk by the course participants and instructors earlier in the week. Day Five was devoted to a review of lessons learned, nailing down next steps on finalizing the draft IPR manual for Mexican port inspectors, and the graduation ceremony that was presided over by Embassy CBP AttachQ Renee Harris and Port Administrator Serrano.

Looking Ahead

15. (U) Evaluations by the Mexican attendees were very positive, particularly with respect to the heavy focus on inter-agency cooperation among Customs, PGR, IMPI, and the federal police, which will be codified in the IPR manual, a project which, when completed, will represent a significant concrete deliverable of the exercise. Just as important were the personal connections made among the various agencies, and between the USG and Mexican participants and instructors, which we are confident will result in more coordinated Mexican IPR enforcement efforts as well as better bilateral

cooperation in attacking cross-border flows of pirated and counterfeit products. The Embassy plans to hold two more IPR customs seminars next year: one in Manzanillo, Mexico's principal Pacific port, and another in Nuevo Laredo, the busiest border crossing for cargo shipments.

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